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Attorney for Creditor
CO-TRUSTEE FRANKLIN MENLO

**UNITED STATES BANKRUPTCY COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

LESLIE KLEIN,

Debtor.

CASE NO.: 2:23-bk-10990-SK

Chapter 11

**JOINT STIPULATION TO CONTINUE
HEARINGS ON CO-TRUSTEES JEFFREY
WINTER'S AND FRANKLIN MENLO'S
MOTIONS FOR RELIEF FROM THE
AUTOMATIC STAY UNDER 11 U.S.C. § 362**

JOINT STIPULATION

Jeffrey Winter (“**Jeffrey**”) and Franklin Menlo (“**Franklin**”), Co-Trustees (collectively, “**Co-Trustees**”) of the consolidated and related twenty-four Menlo trusts (“**Menlo Trusts**”) at issue *In The Matter of the Franklin Menlo Irrevocable Trust Established March 1, 1983*, Case No. BP136769 (the “**Menlo Trust Action**”) pending in the Los Angeles Superior Court (the “**Superior Court**”), and Bradley D. Sharp (“**Sharp**”), Chapter 11 Trustee in the above-captioned action (collectively, the “**Parties**”), hereby submit the following stipulation:

WHEREAS, on February 22, 2023, Leslie Klein (“**Klein**”) commenced with a voluntary case under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the

United States Bankruptcy Court for the Central District of California, Los Angeles Division (the “Bankruptcy Court”);

WHEREAS, on April 5, 2023, Co-Trustee Franklin filed a motion for relief from the automatic stay to proceed to final judgment against Klein in the Superior Court (“**Franklin’s Motion For Relief From Stay**”) [Dkt. No. 65];

WHEREAS, on August 11, 2023, Co-Trustee Jeffrey filed a motion for relief from the automatic stay to request instructions from the Superior Court confirming Co-Trustees’ distributions of proceeds from life insurance policies to beneficiaries of the Menlo Trusts (“**Jeffrey’s Motion For Relief From Stay**”) [Dkt. No. 254];

WHEREAS, on August 9, 2023, the Court set a hearing on Franklin’s Motion For Relief From Stay for November 15, 2023 at 8:30 a.m. [Dkt. No. 246];

WHEREAS, on August 28, 2023, Sharp filed a motion to examine documents relating to the life insurance policies at issue in Jeffrey’s Motion for Relief From Stay pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “2004 Examination”) [Dkt. No. 301];

WHEREAS, on September 15, 2023, the Court set a hearing on Jeffrey’s Motion For Relief From Stay for November 15, 2023 at 8:30 a.m. [No Doc. ID];

WHEREAS, on September 21, 2023, the Court entered an order authorizing the 2004 Examination [Dkt. No. 376];

WHEREAS, Franklin on behalf of the Co-Trustees, produced documents responsive to the 2004 Examination on a rolling basis (the “**Produced Documents**”);

WHEREAS, Franklin continues to produce documents to Sharp, particularly with respect to the payment of premiums on life insurance policies for the benefit of the beneficiaries of the Menlo Trusts;

WHEREAS, the Parties require additional time to evaluate the Produced Documents so that they may be utilized in the Parties’ briefing related to Jeffrey’s Motion For Relief From Stay; and

WHEREAS, the Parties agree that in the interest of judicial economy that the hearing on Franklin's Motion For Relief From Stay should coincide with the hearing on Jeffrey's Motion For Relief From Stay.

NOW, THEREFORE, the Parties stipulate and jointly agree as follows:

1. The November 15, 2023 hearings on Jeffrey's Motion For Relief From Stay shall be continued to January 31, 2024 or the Court's soonest available date thereafter.
2. The November 15, 2023 hearings on Franklin's Motion For Relief From Stay shall be continued to January 31, 2024 or the Court's soonest available date thereafter.
3. The deadlines to amend Jeffrey's Motion For Relief From Stay and Franklin's Motion For Relief From Stay and the deadlines to file and serve opposition and reply papers shall be automatically extended pursuant to this Court's Local Rules.

IT IS SO STIPULATED.

Dated: November 1, 2023

WILLKIE FARR & GALLAGHER LLP

By: 

Alex M. Weingarten
Logan M. Elliott

Attorneys for Jeffrey Winter, Interim Co-Trustee
of Creditor The Menlo Family Trust

Dated: November 1, 2023

CHORA YOUNG & MANASSERIAN LLP

By: _____

Paul P. Young

Attorneys for Franklin Menlo, Interim Co-Trustee
of Creditor The Menlo Family Trust

Dated: November 1, 2023

PACHULSKI STANG ZEIL & JONES LLP

By: 

Jeffrey W. Dulberg
John W. Lucas
Jeffrey P. Nolan

Attorneys for Bradley D. Sharp, Chapter 11
Trustee

WHEREAS, the Parties agree that in the interest of judicial economy that the hearing on Franklin's Motion For Relief From Stay should coincide with the hearing on Jeffrey's Motion For Relief From Stay.

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1. The November 15, 2023 hearings on Jeffrey's Motion For Relief From Stay shall be continued to January 31, 2024 or the Court's soonest available date thereafter.
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IT IS SO STIPULATED.

Dated: November 1, 2023

WILLKIE FARR & GALLAGHER LLP

By: 

Alex M. Weingarten
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Attorneys for Jeffrey Winter, Interim Co-Trustee
of Creditor The Menlo Family Trust

Dated: November 1, 2023

CHORA YOUNG & MANASSERIAN LLP

By: 

Paul P. Young

Attorneys for Franklin Menlo, Interim Co-Trustee
of Creditor The Menlo Family Trust

Dated: November 1, 2023

PACHULSKI STANG ZEIL & JONES LLP

By: 

Jeffrey W. Dulberg
John W. Lucas
Jeffrey P. Nolan

Attorneys for Bradley D. Sharp, Chapter 11
Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

WILLKIE FARR & GALLAGHER LLP

2029 Century Park East, Suite 2800, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*):

Joint Stipulation To Continue Hearings On Co-Trustees Jeffrey Winter's And Franklin Menlo's Motions For Relief From
The Automatic Stay Under 11 U.S.C. § 362

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 11/01/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED LIST.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 11/01/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 11/01/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED LIST.

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

11/01/2023

Arkisa Ward

/s/ Arkisa Ward

Date

Printed Name

Signature

SERVICE LIST

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

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Central District of California
Edward R. Roybal Federal
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